

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Van Steenkiste et al. EXAMINER: Steven J. Ganey
SERIAL NO.: 10/763,824 GROUP ART UNIT: 3752
FILED: January 23, 2004 ATTY DOCK. NO.: DP-309186
FOR: A MODIFIED HIGH EFFICIENCY KINETIC SPRAY NOZZLE

**DECLARATION UNDER 37 CFR §1.132
ESTABLISHING THAT THE RELEVANT DISCLOSURE
RELIED ON IS APPLICANTS' OWN WORK**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This declaration under 37 CFR §1.132 is being submitted in accordance with *MPEP 2136.05* to demonstrate that the portions of U.S. Patent No. 6,808,817 (the '817 patent) relied upon by the Examiner in rejecting claims 1, 5-7, 11-13, and 17-20 of the subject application under 35 U.S.C. §102(e) is Applicants' own work and was conceived of before the effective filing date of the '817 patent such that the rejections under 35 U.S.C. §102(e) based on the '817 patent should be withdrawn.

**Respectfully submitted,
HOWARD & HOWARD ATTORNEYS, P.C.**

October 17, 2006
Date

/Trent K. English/
Trent K. English, Registration No.: 56,951
The Pinehurst Office Center, Suite #101
39400 Woodward Avenue
Bloomfield Hills, MI 48304-5151

I, Thomas H. Van Steenkiste, hereby declare that:

1. I am a citizen of the United States.

2. I am currently employed as a(n) GROUP LEADER

for Delphi Corporation. I have been employed by Delphi Corporation since 12-17-1977 and have worked in the field of kinetic spraying for approximately 11 years.

3. I am a joint inventor with Taeyoung Han and Bryan A. Gillispie (collectively "Applicants") of U.S. Patent Application Serial No. 10/763,824, filed January 23, 2004, Attorney Docket No. DP-309186 ("the subject application").

4. I am a joint inventor with Donald T. Morelli, Allaa A. Elmoursi, Brian K. Fuller, Bryan A. Gillispie, and Daniel W. Gorkiewicz of U.S. Patent No. 6,808,817 (the '817 patent) filed March 15, 2002.

5. I have read and understand the '817 patent, particularly the portions of the specification from column 5, lines 8-23; column 5, lines 27-43; and column 6, lines 8-10, which are relied upon by Examiner Steven J. Ganey ("the Examiner") in rejecting claims 1, 5-7, 11-13, and 17-20 of the subject application under 35 U.S.C. §102(e), as set forth in the Office Action dated July 17, 2006.

6. I conceived of the portions of the specification of the '817 patent relied upon by the Examiner to reject claims 1, 5-7, 11-13, and 17-20 of the subject application under 35 U.S.C. §102(e) prior to March 15, 2002, which is the effective filing date of the '817 patent.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information are believed to be true; and further that

these statements were made with the knowledge that willful and false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

Respectfully submitted,

10/16/06
Dated


Thomas H. Van Steenkiste